

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figs. (4-5). The sheet, which includes Figs. (4-5), replaces sheet the original including Figs. (4-5).

Enclosure(s): Replacement Sheets: One (1)

REMARKS

Claims 1-4 are pending in the application.

The drawings are objected to by the Examiner.

Claims 1 is objected for various informalities.

Claims 1 – 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (Figures 4 and 5).

The Applicants traverse the rejections and request reconsideration.

Drawings

The Examiner has objected to the Drawings for various informalities. The Applicants respectfully submit replacement drawings with Figs. 4 and 5 designated as prior art as required by the Examiner.

Regarding the objections to cross-hatching, the Applicants respectfully submit that the Examiner is incorrect in his assertions. The Examiner refers to MPEP 608.02 and contends that the hatching must be shown in alternate thick and thin lines. However this section of MPEP further discusses 37 C.F.R. § 1.84(h)(3) where it is clearly noted that

“...Hatching must be used to indicate section portions of an object, and must be made by regularly spaced oblique parallel lines spaced sufficiently apart to enable the lines to be distinguished without difficulty. Hatching should not impede the clear reading of the reference characters and lead lines. If it is not possible to place reference characters outside the hatched area, the hatching may be broken off wherever reference characters are inserted. Hatching must be at a substantial angle to the surrounding axes or principal lines, preferably 45°...”

As can be seen, there is no specific requirement that the hatching must be shown in alternate thick and thin lines as the Examiner is contending. A skilled artisan will understand the

various structural components of the invention clearly from the drawings and the accompanying description.

Claim Objections

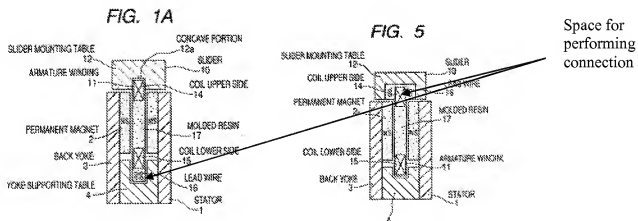
Objection of Claim 1 is based on various informalities

The Applicants respectfully amend the claims, as noted in the attached Appendix, to overcome the noted objections.

Claim Rejections Under 35 U.S.C. 103(a)

Rejection of claims 1-4 as being unpatentable over the admitted prior art (Figs. 4 and 5)

As noted in Figs. 1A and 5 of the present Specification, the primary difference between the present invention and the admitted prior art of Fig. 5 is that a space for performing the connection between the coils is provided in the lower side of the coil in the present invention and in the upper side of the coils in the admitted prior art.



As a skilled artisan will readily appreciate the present invention achieves the objective of preventing a large increase in temperature at the coils by having the space on the lower side and not on the side corresponding to the slider.

The Examiner takes official notice that it is well-known in the art to move wires to “allow access from various directions.” The Applicants respectfully disagree with the Examiner’s conclusion that it is well known to move wires to allow access from various directions and believe that such a contention is unreasonable. First, the Examiner has not stated clearly what he means by “access from various directions.” Second, the Applicants respectfully do not believe that providing access from various directions is relevant to the present invention. The present invention relates to providing a **space** for performing connections below the coils as opposed to above the coils for the specific objective of reducing temperature.

Official notice without documentary evidence to support an Examiner's conclusion is permissible only in some circumstances.... Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. MPEP 2144.03. As noted by the court in *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970), the notice of facts beyond the record which may be taken by the Examiner must be "capable of such instant and unquestionable demonstration as to defy dispute." *Id. citing In re Knapp Monarch Co.*, 296 F.2d 230, 132 USPQ 6 (CCPA 1961)).

The Applicants respectfully submit that it is not undisputable that the space for connecting wires can be moved from the top of the coil to the bottom of the coil for any purpose whatsoever, let alone for the specific objective of preventing temperature rise.

The recent *KSR* case does not eviscerate the basic requirement that obviousness is a question of law based on underlying factual inquiries, including ... ascertaining the differences between **the claimed invention** and the prior art. *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966) (emphasis added). In fact the Supreme Court in *KSR Int'l v. Teleflex Inc.*

stated clearly that “there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *KSR Int’l v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). The Applicants respectfully submit that the desirability of “moving wires around to allow access from various directions” is not an articulated reasoning with rational underpinning to support a suggestion for having a space below the coils for performing connections between the coils.

Claims 2 and 3 are dependent on claim 1 and are allowable for at least the same reasons.

Claim 4 further requires that a cooling passageway be provided in the slider mounting table for the passage of a refrigerant or air. The Examiner has completely ignored this limitation. The Examiner is respectfully requested to provide support in the admitted prior art or any other reference for this teaching.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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